

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

Ark Laboratory, LLC,

Debtor.

Case No. 23-43403-mlo

Chapter 11

Hon. Maria L. Oxholm

**STIPULATION RESOLVING THE LIQUIDATING TRUSTEE’S
MOTION FOR AN ORDER DIRECTING DAVID H. FINK OF FINK
BRESSACK TO (I) PRODUCE DOCUMENTS AND (II) APPEAR FOR
ORAL EXAMINATION PURSUANT TO RULE 2004 OF THE FEDERAL
RULES OF BANKRUPTCY PROCEDURE**

Paul R. Hage, solely in his capacity as the Liquidating Trustee of the Ark Laboratory Trust (the “Liquidating Trustee”) and David H. Fink (“Fink”) of Fink Bressack (“Fink Law”), through their respective undersigned counsel, state as follows:

1. The Liquidating Trustee filed his *Motion For An Order Directing David H. Fink Of Fink Bressack To (I) Produce Documents And (II) Appear For Oral Examination Pursuant To Rule 2004 Of The Federal Rules Of Bankruptcy Procedure* [ECF No. 528] (the “2004 Motion”) seeking, among other things, production of the

Client File,¹ including the Records, in Fink Law's and/or Fink's possession and/or control.

2. Subsequent to filing the 2004 Motion, Fink contacted the Liquidating Trustee's counsel and agreed to produce the Client File subject to the terms and conditions set forth in the Order, attached as **Exhibit 1** hereto.

WHEREFORE the Liquidating Trustee, Fink Law and Fink request entry of the attached Order in resolution of the 2004 Motion.

STIPULATED FOR ENTRY:

TAFT STETTINIUS & HOLLISTER, LLP FINK BRESSACK

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Counsel for the Liquidating Trustee

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*Counsel to Fink Bressack and David
H. Fink*

Dated: February 20, 2024

¹ Capitalized terms not otherwise defined in this Stipulation shall have the same meaning ascribed in the 2004 Motion.

EXHIBIT 1

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

Ark Laboratory, LLC,

Debtor.

Case No. 23-43403-mlo

Chapter 11

Hon. Maria L. Oxholm

**STIPULATED ORDER RESOLVING THE LIQUIDATING TRUSTEE'S
MOTION FOR AN ORDER DIRECTING DAVID H. FINK OF FINK
BRESSACK TO (I) PRODUCE DOCUMENTS AND (II) APPEAR FOR
ORAL EXAMINATION PURSUANT TO RULE 2004 OF THE FEDERAL
RULES OF BANKRUPTCY PROCEDURE**

This matter having come before the Court on the *Stipulation Resolving the Liquidating Trustee's Motion for an Order Directing David H. Fink of Fink Bressack to (I) Produce Documents and (II) Appear for Oral Examination Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure* (the "Stipulation")² filed by the Liquidating Trustee, Fink Law and Fink resolving the 2004 Motion, the Court having read same and being otherwise fully and duly advised in the premises;

NOW THEREFORE, IT IS HEREBY ORDERED as follows:

1. Fink Law and Fink shall produce the Client Files, including the Records, to the Liquidating Trustee within one week of the entry of this Order.

² Capitalized terms not otherwise defined in this Order shall have the same meaning ascribed in the Stipulation.

2. The Liquidating Trustee is authorized to take an oral examination of Fink Law and Fink (the “Examination”) at a date, time and location mutually agreed upon by the Liquidating Trustee, Fink Law and Fink or, in the event that a mutually agreed upon date, time and location is unable to be established after the Liquidating Trustee has made reasonable efforts to schedule the Examination, upon seven days’ advance notice. The Liquidating Trustee shall file a *Notice of Deposition* with the Court and serve same on Fink Law and Fink at least seven days in advance of the Examination date, time and location.